



## **ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-HQ-OPP-2009-1017; FRL-9914-09]**

### **Product Cancellation Order for Certain Pesticide Registrations**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's order for the cancellations, voluntarily requested by the registrants and accepted by the Agency, of the products listed in Table 1 of Unit II., pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This cancellation order follows a May 20, 2014 **Federal Register** Notice of Receipt of Requests from the registrants listed in Table 2 of Unit II. to voluntarily cancel these product registrations. In the May 20, 2014 **Federal Register** notice, EPA indicated that it would issue an order implementing the cancellations, unless the Agency received substantive comments within the 30-day comment period that would merit its further review of these requests, or unless the registrants withdrew their requests. The Agency received comments on the May 20, 2014 **Federal Register** notice but none merited its further review of the requests. Further, the registrants did not withdraw their requests. Accordingly, EPA hereby issues in this notice a cancellation order granting the requested cancellations. Any distribution, sale, or use of the products subject to this cancellation order is permitted only in accordance with the terms of this cancellation order, including any existing stocks provisions.

**DATES:** The cancellations are effective [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**FOR FURTHER INFORMATION CONTACT:** John W. Pates, Jr., Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8195; email address: *pates.john@epa.gov*.

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*A. Does this Action Apply to Me?*

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

*B. How Can I Get Copies of this Document and Other Related Information?*

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2009-1017, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave., NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

## II. What Action is the Agency Taking?

This notice announces the cancellation, as requested by registrants, of products registered under FIFRA section 3 (7 U.S.C. 136a). These registrations are listed in sequence by registration number in Table 1 of this unit.

**Table 1.--Product Cancellations**

EPA Registration Number	Product Name	Chemical Name
000264-00805	Thiacloprid Technical Insecticide	Thiacloprid
000264-00806	Calypso 4 Flowable Insecticide	Thiacloprid
000352-00593	Accent Gold Herbicide	Clopyralid, nicosulfuron, rimsulfuron, and flumetsulam
000352-00612	DuPont Accent Gold WDG Herbicide	Clopyralid, nicosulfuron, rimsulfuron, and flumetsulam
000352-00792	DuPont DPX-KJM44 80XP Turf Herbicide	Aminocyclopyrachlor methyl ester
000352-00794	DuPont DPX-MAT28 50SG Turf Herbicide	Aminocyclopyrachlor
000352-00797	DuPont DPX-KJM44 0.064G Turf Herbicide + Fertilizer	Aminocyclopyrachlor methyl ester
000352-00800	DuPont DPX-KJM44 0.073G Lawn Herbicide + Fertilizer	Aminocyclopyrachlor methyl ester
000352-00803	DuPont DPX-KJM44 0.053G Lawn Herbicide + Fertilizer	Aminocyclopyrachlor methyl ester
000352-00804	DuPont DPX-KJM44 0.049G Lawn Herbicide + Fertilizer	Aminocyclopyrachlor methyl ester
000352-00807	DuPont DPX-KJM44 0.033G Lawn Herbicide + Fertilizer	Aminocyclopyrachlor methyl ester
000352-00811	DuPont DPX-KJM44 0.02G Lawn Herbicide + Fertilizer	Aminocyclopyrachlor methyl ester

000352-00813	DuPont DPX-MAT28 0.05G Turf Herbicide + Fertilizer	Aminocyclopyrachlor
000352-00814	DuPont DPX-MAT28 0.03G Turf Herbicide + Fertilizer	Aminocyclopyrachlor
000352-00815	DuPont DPX-MAT28 0.068G Lawn Herbicide + Fertilizer	Aminocyclopyrachlor
000432-01362	Premise 0.5 SC	Imidacloprid
000464-00662	S.S.T. Sump Saver Tablets	2-(hydroxymethyl)-2-nitro- 1,3-propanediol
001270-00255	Zep Flush 'N Kill DM	S-bioallethrin and deltamethrin
001448-00379	Busan 2020F	Poly(oxy-1,2- ethanediyl(dimethylimino)- 1,2- ethanediyl(dimethylimino)- 1,2-ethanediyl dichloride)
001448-00380	Busan 2020	Poly(oxy-1,2- ethanediyl(dimethylimino)- 1,2- ethanediyl(dimethylimino)- 1,2-ethanediyl dichloride)
001448-00396	WSKT	Poly(oxy-1,2- ethanediyl(dimethylimino)- 1,2- ethanediyl(dimethylimino)- 1,2-ethanediyl dichloride); 5-chloro-2-methyl-3(2H)- isothiazolone; and 2- methyl-3(2H)- isothiazolone
001448-00397	Busan 1174	Poly(oxy-1,2- ethanediyl(dimethylimino)- 1,2- ethanediyl(dimethylimino)- 1,2-ethanediyl dichloride); 5-chloro-2-methyl-3(2H)- isothiazolone; and 2- methyl-3(2H)- isothiazolone

001448-00400	PCA 10	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride)
008033-00012	Equinox Herbicide	Tepraloxydim
008033-00013	BAS 620 H MUP	Tepraloxydim
010163-00279	Milbemectin Technical Miticide/Insecticide	Milbemectin (A mixture of $\geq 70\%$ milbemycin A4, and $\leq 30\%$ milbemycin A3)
010163-00280	Ultiflora Miticide/Insecticide	Milbemectin (A mixture of $\geq 70\%$ milbemycin A4, and $\leq 30\%$ milbemycin A3)
028293-00167	Unicorn Residual House and Carpet Spray	Bioallethrin, MGK 264 and permethrin
028293-00192	Unicorn House and Carpet Spray #5	Bioallethrin, MGK 264, piperonyl butoxide, and esfenvalerate
028293-00196	Unicorn House and Carpet Spray #6	Bioallethrin, MGK 264, piperonyl butoxide, and esfenvalerate
028293-00332	Unicorn Flying & Crawling Insect Killer IV	S-bioallethrin and deltamethrin
028293-00334	Unicorn Flying & Crawling Insect Killer V	S-bioallethrin and deltamethrin
028293-00336	Unicorn Flying & Crawling Insect Killer III	S-bioallethrin and deltamethrin
054382-00003	Taktic Emulsifiable Concentrate Miticide/Insecticide	Amitraz
066330-00295	Iprodione Technical 97.5%	Iprodione
066330-00329	Iprodione Technical 98%	Iprodione
067071-00053	Acticide MKW 1	Octhilinone; carbamic acid; butyl-, 3-iodo-2-propynyl ester; and diuron
070627-00071	Raid Institutional Flying Insect Killer	<i>d</i> -allethrin, phenothrin, and tetramethrin
071368-00062	Assert Herbicide	Imazamethabenz
071368-00063	Assert Herbicide Technical	Imazamethabenz
075630-00001	Zinc Borate	Zinc borate (3ZnO, 2B <sub>2</sub> O <sub>3</sub> , 3.5H <sub>2</sub> O; mw 434.66)

083558-00020	Mepiquat Chloride Technical	Mepiquat chloride
085678-00027	Iprodione Technical	Iprodione
087290-00014	Willowood Imidacloprid 4SC	Imidacloprid
087290-00021	Willowood Imidacloprid 2SC	Imidacloprid
ME030004	Accord Concentrate	Glyphosate-isopropylammonium
ME980001	Confirm 2F Insecticide	Tebufoenozide

The allethrin series of pyrethroid insecticides includes the Product Chemical (PC) codes for: Bioallethrin (004003), esbiol (004004), esbiothrin (004007, formerly 004003/004004), and pynamin forte (004005). The technical registrants for the allethrins, Sumitomo Chemical Company Limited (Sumitomo) and Valent BioSciences Corporation (Valent), cancelled all of the allethrins technical products effective September 30, 2015, and cancelled their allethrins end-use product registrations effective December 31, 2016. Because the allethrins technical products have been cancelled, several other registrants for allethrins end-use products listed in this notice have requested cancellation with dates consistent with those specified for the Valent and Sumitomo allethrins end-use products. The cancellation of the end-use products listed in Table 2 of this unit are effective December 31, 2016.

**Table 2.--Product Cancellations for Allethrin End-Use Products Effective December 31, 2016**

EPA Registration Number	Product Name	Chemical Name
000004-00461	Bonide Crawling Insect Killer	Deltamethrin and <i>S</i> -bioallethrin
000498-00167	SprayPak Ant & Roach Killer Formula 2 With Esfenvalerate	Bioallethrin, MGK 264, piperonyl butoxide, and esfenvalerate

000498-00192	Champion Sprayon Flying & Crawling Insect Killer Formula II	<i>S</i> -Bioallethrin and deltamethrin
000499-00362	Whitmire PT 515 Wasp-Freeze Wasp and Hornet Killer	Bioallethrin and phenothrin
003095-00026	PIC Mosquito Repellent Coils	<i>d</i> -Allethrin
004822-00283	Raid House and Garden Bug Killer Formula 7	<i>d</i> -Allethrin and phenothrin
004822-00284	Raid Formula 5 Flying Insect Killer	<i>d</i> -Allethrin, piperonyl butoxide, and phenothrin
004822-00469	Repellent LMO	<i>d</i> -Allethrin
004822-00501	Snake II	Bioallethrin
004822-00578	H7A-US	Tetramethrin, phenothrin, and <i>d</i> -allethrin
004822-00580	H7A-US HG	Tetramethrin, phenothrin, and <i>d</i> -allethrin
006218-00043	Summit Mistocide-B	<i>S</i> -bioallethrin, MGK 264, and piperonyl butoxide
009688-00256	Chemsico Aerosol Insecticide DS	<i>S</i> -bioallethrin and deltamethrin
009688-00306	TAT Roach & Ant With Residual Action 2491	Bioallethrin, MGK 264, piperonyl butoxide, and esfenvalerate
010807-00437	Konk Insecticide Foam	Bioallethrin, MGK 264, and permethrin
070385-00004	Microban X-590 Institutional Spray	Bioallethrin, MGK 264, <i>o</i> -phenylphenol (No inert use), piperonyl butoxide, and benzenemethanaminium, <i>N,N</i> -dimethyl- <i>N</i> -(2-(2-(4-(1,1,3,3-tetramethylbutyl)phenoxy)ethoxy)ethyl)-, chloride

Table 3 of this unit includes the names and addresses of record for all registrants of the products in Table 1 and Table 2 of this unit, in sequence by EPA company number. This number corresponds to the first part of the EPA registration numbers of the products listed in Table 1 of this unit.

**Table 3.--Registrants of Cancelled Products**

EPA Company Number	Company Name and Address
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4	Bonide Products, Inc. Agent: Registrations By Design, Inc. P.O. Box 1019 Salem, VA 24153-3805
264	Bayer CropScience LP 2 T.W. Alexander Dr. P.O. Box 12014 Research Triangle Park, NC 27709
352	E.I. DuPont De Nemours and Company (S300/419) 1007 Market St. Wilmington, DE 19898-0001
432	Bayer Environmental Science A Division of Bayer CropScience LP 2 T.W. Alexander Dr. P.O. Box 12014 Research Triangle Park, NC 27709
464	The Dow Chemical Co. Agent: The Dow Chemical Company 100 Larkin Center, 1650 Joseph Dr. Midland, MI 48674
498	Chase Products Co. Putting The Best At Your Fingertips P.O. Box 70 Maywood, IL 60153
499	Whitmire Micro-Gen Research Laboratories, Inc. Agent: BASF Corporation 3568 Tree Court Industrial Blvd. St. Louis, MO 63122-6682
1270	Zep, Inc. 1310 Seaboard Industrial Blvd. Atlanta, GA 30318
1448	Buckman Laboratories, Inc. 1256 North McLean Blvd. Memphis, TN 38108
3095	PIC Corporation Agent: Product & Regulatory Associates, LLC P.O. Box 1683 Voorhees, NJ 08043-9998
4822	S.C. Johnson & Son, Inc. 1525 Howe St. Racine, WI 53403
6218	Summit Chemical Co. Summit Responsible Solutions 235 S. Kresson St.



	Baltimore, MD 21224
8033	Nippon Soda Co., LTD Agent: Nisso America, Inc. 88 Pine St., 14 <sup>th</sup> Floor New York, NY 10005
9688	Chemsico A Division of United Industries Corp. P.O. Box 142642 St. Louis, MO 63114-0642
10163	Gowan Co. P.O. Box 5569 Yuma, AZ 85366-5569
10807	Amrep, Inc. 990 Industrial Park Dr. Marietta, GA 30062
28293	Phaeton Corp. D/B/A Unicorn Laboratories Agent: Registrations By Design, Inc. P.O. Box 1019 Salem, VA 24153
54382	Intervet, Inc. D/B/A Merck Animal Health 556 Morris Ave., S5-2145A Summit, NJ 07901
66330	Arysta LifeScience North America, LLC 15401 Weston Parkway, Suite 150 Cary, NC 27513
67071	Thor GmbH Agent: Thor Specialties, Inc. 50 Waterview Dr. Shelton, CT 06484
70385	ProRestore Products Agent: Lewis & Harrison, LLC 122 C St., NW., Suite 505 Washington, DC 20001
70627	Diversey, Inc. 8310-16 <sup>th</sup> St., MS 707 Sturtevant, WI 53177
71368	Nufarm, Inc. Agent: Nufarm Americas, Inc. 4020 Aerial Center Parkway, Suite 1013 Morrisville, NC 27560
75630	Royce Associates, LP 35 Carlton Ave. East Rutherford, NJ 07073

83558	Celsius Property B.V., Amsterdam (NL) Neuhausen A. RHF Branch Agent: Makhteshim Agan of North America, Inc. 3120 Highwoods Blvd., Suite 100 Raleigh, NC 27604
85678	RedEagle International, LLC Agent: Wagner Regulatory Associates, Inc. P.O. Box 640 Hockessin, DE 19707-0640
87290	Willowood, LLC Agent: Wagner Regulatory Associates, Inc. P.O. Box 640 Hockessin, DE 19707-0640
ME030004, ME980001	Dow AgroSciences, LLC 9330 Zionsville Rd., 308/2E Indianapolis, IN 46268-1054

### **III. Summary of Public Comments Received and Agency Response to Comments**

During the public comment period, EPA received three comments. One of the comments received was submitted by the registrant Nippon Soda Co., Ltd. c/o Nisso America, Inc. (Nisso) that explained the importance for maintaining the existing tepraloxym tolerances for importation purposes through 2018. This request does not pertain to the voluntary cancellation of the registrant's products (008033-00012 and 008033-00013), which have never been marketed in the United States.

The two remaining comments received pertained to pesticide concerns in general. These two comments did not contain information about any specific product cancellation request. For these reasons, the Agency does not believe that the three comments submitted during the comment period, which referenced importation tolerances and general pesticide concerns, merit further review or a denial of the requests for voluntary cancellation.

### **IV. Cancellation Order**

Pursuant to FIFRA section 6(f) (7 U.S.C. 136d(f)), EPA hereby approves the requested cancellations of the registrations identified in Table 1 of Unit II. Accordingly, the Agency hereby orders that the product registrations identified in Table 1 of Unit II. are canceled. The effective date of the cancellations that are the subject of this notice is **[INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. Any distribution, sale, or use of existing stocks of the products identified in Table 1 of Unit II. in a manner inconsistent with any of the provisions for disposition of existing stocks set forth in Unit VI. are a violation of FIFRA.

#### **V. What is the Agency's Authority for Taking this Action?**

Section 6(f)(1) of FIFRA (7 U.S.C. 136d(f)(1)) provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled or amended to terminate one or more uses. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**. Thereafter, following the public comment period, the EPA Administrator may approve such a request. The notice of receipt for this action was published for comment in the **Federal Register** of May 20, 2014 (79 FR 28920) (FRL-9909-40). The comment period closed on June 19, 2014.

#### **VI. Provisions for Disposition of Existing Stocks**

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which were packaged, labeled, and released for shipment prior to the effective date of the cancellation action. The existing stocks provisions for the products subject to this order are as follows.

*A. All Products in Table 1 of Unit II. (except 000264-00806, 008033-00012, 008033-00013, 054382-00003, 067071-00053, 071368-00062, 087290-00014, 087290-00021)*

The registrants may continue to sell and distribute existing stocks of products listed in Table 1 of Unit II. until **[INSERT DATE 1 YEAR AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**, which is 1 year after the publication of this cancellation order in the **Federal Register**. Thereafter, the registrants are prohibited from selling or distributing products listed in Table 1 of Unit II., except for export in accordance with FIFRA section 17 (7 U.S.C. 136o), or proper disposal. Persons other than the registrants may sell, distribute, or use existing stocks of products listed in Table 1 of Unit II. until existing stocks are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products.

*B. Product 000264-00806*

In a letter to the Agency, the registrant had requested to voluntarily cancel all of its current thiacloprid product and domestic use registrations. In doing so, the registrant requested an 18- month time period to sell and distribute existing stocks of this product. The registrant may continue to sell and distribute existing stocks of product listed in Table 1 of Unit II. until Monday, February 8, 2016, which is 1 year and 6 months after the publication of this cancellation order in the **Federal Register**. Thereafter, the registrant is prohibited from selling or distributing product listed in Table 1 of Unit II., except for export in accordance with FIFRA section 17, or proper disposal. Persons other than the registrant may sell, distribute, or use existing stocks of product listed in Table 1

of Unit II. until existing stocks are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled product.

*C. Product 071368-00062*

The registrant may continue to sell and distribute existing stocks of product containing imazamethabenz listed in Table 1 of Unit II. until December 31, 2015.

Thereafter, registrants, and persons other than the registrants, are prohibited from selling or distributing product containing imazamethabenz listed in Table 1 of Unit II., except for export in accordance with FIFRA section 17, or proper disposal. Existing stocks of product containing imazamethabenz already in the hands of users can be used legally until such existing stocks are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled product.

*D. Products 008033-00012, 008033-00013, 054382-00003, 067071-00053, 087290-00014 and 087290-00021*

Registrants have indicated to the Agency via letter and/or written response that due to the last manufacturing date, distribution date, or the absence of marketing in the United States no existing stocks provisions are necessary for them to sell and distribute their product(s).

Registrants are prohibited from selling or distributing products listed in Table 1 of Unit II., except for export in accordance with FIFRA section 17, or proper disposal. Persons other than the registrants may sell, distribute, or use existing stocks of products

listed in Table 1 of Unit II. until existing stocks are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products.

*E. End-Use Products Listed in Table 2 of Unit II.*

The registrants may continue to sell and distribute existing stocks of products listed in Table 2 of Unit II. until December 31, 2016. Thereafter, as of January 1, 2017, registrants are prohibited from selling or distributing products listed in Table 2 of Unit II., except for export in accordance with FIFRA section 17, or proper disposal. Persons other than registrants are allowed to sell, distribute, or use existing stocks of product listed in Table 2 of Unit II. until existing stocks are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled product.

**List of Subjects**

Environmental protection, Administrative practice and procedure, Pesticides and pests.

Dated: July 23, 2014.

**Richard P. Keigwin, Jr.,**

*Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.*

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